



[12706/13]


**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Hiroya Fukuyama et al.  
Serial No. : 10/828,473  
Filed : April 21, 2004  
For : MICROSCOPIC OBSERVING APPARATUS AND PROBE  
MICROSCOPE  
Art Unit : 2872  
Examiner : Lee A. Fineman  
Confirmation No. : 5144

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450 on:

Date: July 26, 2007

Signature:   
Richard M. Rosati (R. No. 31,792)

**AMENDMENT**

SIR:

This Amendment is submitted in response to the Office Action mailed on May 16, 2007. Please reconsider the above-identified application based on the following:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.